

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed

Rule making related to medical residency training state matching grants program

The Public Health Department hereby amends Chapter 108, “Medical Residency Training State Matching Grants Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 135.176 as amended by 2019 Iowa Acts, chapter 55.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 135.176 as amended by 2019 Iowa Acts, chapter 55.

Purpose and Summary

2019 Iowa Acts, chapter 55, section 1, adds to the criteria for awarding medical residency training state matching grants a preference for candidates who are residents of Iowa, attended and earned an undergraduate degree from an Iowa college or university, or attended and earned a medical degree from a medical school in Iowa. This preference is in addition to the existing preference in the residency specialty. 2019 Iowa Acts, chapter 55, section 2, adds a requirement that the residency program offer the residency participants the opportunity to participate in a rural rotation to expose the residents to the rural areas of the state. The amendments incorporate these changes.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on September 25, 2019, as **ARC 4671C**. No public comments were received. The Department received one comment from the Department’s finance bureau noting that subrule 108.4(3), which specifies annual contract periods, was not required since standard contracting rules set the limits for contracts. The specificity of the contracting subrule was found to be administratively burdensome and without benefit to the program. Therefore, Items 2 and 3 have been added to rescind subrule 108.4(3) and to renumber the subrules that follow. Items 2 and 3 in the Notice have been renumbered as Items 4 and 5. Also, there was a minor wording change from “This residency specialty” to “The residency specialty” in Item 5 for grammatical clarity. No other changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the State Board of Health on November 13, 2019.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the

discretionary provisions, if any, pursuant to the Department's waiver and variance provisions contained in 641—Chapter 178.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on January 22, 2020.

The following rule-making actions are adopted:

ITEM 1. Adopt the following new subrule 108.3(5):

108.3(5) A sponsor shall offer persons to whom a primary care, including psychiatry, residency position is awarded, the opportunity to participate in a rural rotation to expose the resident to the rural areas of the state.

ITEM 2. Rescind subrule **108.4(3)**.

ITEM 3. Renumber subrules **108.4(4)** and **108.4(5)** as **108.4(3)** and **108.4(4)**.

ITEM 4. Amend rule 641—108.5(135), catchwords, as follows:

641—108.5(135) Review Application and review process.

ITEM 5. Amend subrule 108.5(2) as follows:

108.5(2) The department shall establish a request for proposal process for sponsors eligible to receive funding. The request for proposal and review process and review criteria for preference in awarding the grants shall be described in the request for proposal, including preference in the residency specialty and preference for candidates who are residents of Iowa, attended and earned an undergraduate degree from an Iowa college or university, or attended and earned a medical degree from a medical school in Iowa. ~~This~~ The residency specialty preference may be reflective of a subspecialty where particular demands for services have been demonstrated, of geographic areas of preference, or of other particular preferences that advance the objectives of the program.

[Filed 11/14/19, effective 1/22/20]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 12/18/19.